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January 10, 2008

The Honorable William Alsup
United States District Judge
United States District Court
for the Northern District of California
450 Golden Gate Avenue
Chambers 19-6534
San Francisco, California 94102

Re: United States v. Debra Edison
No. CR 07-0479

Your Honor:


Debra Edison submitted her Motion to Quash, along with a Motion to Seal and a Proposed Sealing Order, to Your Honor's mailbox at the Clerk's Office on the sixteenth floor on Friday, December 14, 2007, and served the government on Monday, December 17, 2007. We filed our papers under seal because in a case that I recently litigated against the government involving my client's motion to quash a grand jury subpoena, the government had requested that all filings be under seal, since they related to a grand jury matter. The government filed its opposition to Debra Edison's motion on December 28, 2007, and Mrs. Edison filed her reply brief on January 8, 2008. As the government's opposition was not filed under seal, we did not file defendant's reply under seal. The matter is set for hearing on January 15, 2008 at 2:00 p.m. However, we recently learned that Your Honor's chambers did not have a record of having received the under seal filings on December 14, 2007 and were unable to locate the filings until we provided an additional copy to the Court upon the Court's request. Thus, it appears that the Court never signed the sealing order and the opening motion and supporting declaration were never actually filed. In order to correct the record, we are thus electronically filing the opening brief and Mrs. Edison's declaration in Case No. CR 07-0479. We request that Mrs. Edison's second Declaration in Support of her Motion to Quash, previously submitted to the court, be filed under seal.

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Our office apologizes for the confusion in this matter.

Respectfully,

BARRY J. PORTMAN
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 /EH
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